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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

FILED
2008 JAN -7 AM 9:35
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY KMT DEPUTY

UNITED STATES OF AMERICA,	)	'08 MJ 0035
	)	Magistrate Case No.________
Plaintiff,	)	
	)	COMPLAINT FOR VIOLATION OF
v.	)	
	)	Title 8, U.S.C., Section 1326
Miguel ALVAREZ- Meza	)	Attempted Entry After
	)	Deportation
Defendant.	)	
	)	

The undersigned complainant being duly sworn states:

On or about January 6, 2008, within the Southern District of California, defendant **Miguel ALVAREZ- Meza**, an alien, who previously had been excluded, deported and removed from the United States to Mexico, attempted to enter the United States with the purpose; i.e. conscious desire, to enter the United States at the Tecate Port of Entry, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Claudia Rios, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS **7th** DAY OF **January, 2007**.

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

On January 6, 2008 at approximately 5:50 P.M., a male identified as **Miguel ALVAREZ-Meza (Defendant),** applied for admission to the United States from Mexico via the Tecate, California Port of Entry. Defendant was the driver of a 1992 Chevrolet Astro Van. Defendant was accompanied by Renne Burgos ROBERTS. Defendant presented a California Driver License bearing the name Gabriel Cruz. Defendant stated to a Customs and Border Protection (CBP) Officer that he was a citizen of the United States and was going to San Diego, California. CBP Officer requested identification from ROBERTS. ROBERTS stated that she had no identification. CBP Officer referred Defendant and passenger to secondary for further inspection.

During secondary inspection Defendants fingerprints were queried and produced a positive response indicating the Defendant was previously deported. It was determined that the California Driver License Defendant presented had been acquired using an alias.

The Integrated Automated Fingerprint Identification System (IAFIS) confirmed Defendants true identity as Miguel ALVAREZ-Meza and linked him to immigration records. Further queries utilizing the Immigration Central Index System (CIS) and Deportable Alien Control System (DACS) confirmed Defendant is a citizen of Mexico with no legal documents to enter the United States. DACS revealed Defendant was ordered deported by an Immigration Judge on November 5, 1996 and was physically removed to Mexico on November 5, 1996.

Immigration records contain no evidence that Defendant has applied for, or received permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security to legally re enter the United States.

Claudia Rios

WMcCurine Jr.

1/7/08